

## EXHIBIT 8

DVD Video Statements

(FILED SEPARATELY)

EXHIBIT 8.1 - Deputy Minister  
of Labor and Social Affairs  
Wasil Noor Murmand (Disc Two Chap. 2.1)

EXHIBIT 8.2 - Engineer Naquibudin  
(Disc Two Chap. 2.2)

EXHIBIT 8.3 - Engineer Ishmael  
(Disc Two Chap. 2.3)

## EXHIBIT 9

*Pro Se* Petition, handwritten petition of  
Adel Hassan Hamad

**FILED**

MAY 19 2005

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

ADEL HASSAN HAMAD )  
Camp Delta Guantanamo Bay )  
Washington, D.C. 20355 )

Petitioner )

v. )

GEORGE W. BUSH, )  
President of the United States )

DONALD RUMSFELD, )  
Secretary, United States Department )  
of Defense )

ARMY BRIG. GEN. JAY HOOD )  
Commander, Joint Task Force- )  
GTMO )

ARMY COL. BRICE GYURISKO )  
Commander, Joint Detention )  
Operations Group, JTF - GTMO )

Leave to file without  
Prepayment of Cost **GRANTED**

*Royce C. Lamberth*

Civil Action No.

CASE NUMBER: 105CV1009

JUDGE: ROYCE C. LAMBERTH

DECK TYPE: HABEAS CORPUS/2255

DATE: MAY 18, 2005

**PETITION FOR WRIT OF HABEAS CORPUS**

GUAN-2005-T 0  
1979

**PETITIONER: Adel Hassan Hamad Date: 23 March 2005**

I request from your honorable court to look into my request with consideration and that is that I object to my detention at the Guantanamo Bay, Cuba detention camp as an enemy combatant.

Therefore I wish to file a petition for a Writ of Habeas Corpus.

With my appreciation and my respect to you and my trust that you will do me justice.

**NOTE: This is not an official translation**

**FILED**

**MAY 19 2005**

**NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT**

**05 1009**

*ISN 940*

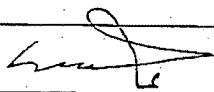
PETITIONER: (DETAINEE'S NAME)

عادل حسني حمد

ألتمس من محاكمكم الموقرة النظر في طلبى هذا بعين  
الاعتبار وهو أنني أعتز على إحتجازى بوعسكر الإحتجاز  
بجوانتنا مو باي، كوابا كقاتل عدو.  
فأذن أريد أن أقدم عريضة "writ of Habeas Corpus"

مع نقديري وإحترامى لكم و ثقتى بأنكم ستستنفوننى.

Signed: \_\_\_\_\_



Date: 23-3-2005

ATCH 1

ISN 940

## EXHIBIT 10

Affidavit of Al Tayeb  
(English translation)

### STATEMENT ACCOMPANIED BY OATH

I, **Adil al-Tayyib Ahmad Adam**, with my complete sanity, and based on my state that is considered legitimate and legal, and based on my legal capacity, and entirely of my own will and accord, affirm under oath, and swear by Allah (God) Almighty, that the following statement is correct and true, and Allah is the witness of what I say:

1. I have been asked by the attorneys for my brother in law, Adil Hassan Hamad, to provide this statement for them to use in the United States District Court. Adil Hamad is in United States military prison in Cuba.

2. I have known Adil Hassan Hamad since about 1987, when I met him in Lahore, Pakistan. I was in Pakistan studying to be a veterinarian. Mr. Hamad was at a market buying supplies for his wedding and was working as a teacher for a charity. Mr. Hamad mentioned that he was a teacher at an orphanage school affiliated with the refugee camps in the area of Peshawar. The village he worked in was called Babi. Since we were both from Sudan we talked and kept in contact, although we did not see each other often because Adil Hamad was living in the Peshawar area and I was living in Lahore and later Islamabad, when I changed my course of study to medical technology (I obtained a medical technology diploma from the Islamabad College of Medical Technology in 1992). Eventually my relationship with Mr. Hamad became much closer in 1992, when I married his sister, Insaf Hassan Hamad.

3. Mr. Hamad originally was from North Sudan but his father and grandfather moved to East Sudan, to Port Sudan and he came with them. Adil's father worked for the Ministry of Health and Adil grew up in East Port Sudan. Mr. Hamad has also been known by the nickname Abu Doujana.

4. In approximately 1991 I spent a day with Adil Hamad in Babi. I visited Adil at the school and he showed me around. It was the end of the day at the boarding school, so I was able to look around where the teachers worked and saw some of the students. The school was for elementary age students, from ages 7 - 12 or so. I was told when I was there that the school was licensed by the Pakistani Ministry of Education and all of the people who worked there had visas and work permits. The school had no political agenda, it was just to teach regular school curriculum. Adil taught Arabic. The school was sponsored by the Islamic Call Committee. Later on, although I am not sure of the date, Adil Hamad worked in more of an administrative role at the school, supervising orphans and doing bookkeeping.

5. Adil Hamad continued to work for this same organization until he went to work for another charity called WAMY (World Assembly of Muslim Youth). This was approximately 2 years before Mr. Hamad was arrested. At that time the director of WAMY in Pakistan was Muhammed Mustafa, who is another Sudanese citizen. Because Adil Hamad was proficient in Pashtu, the local language in the region, he was able to demonstrate that he could work with the local people there. WAMY wanted to have a trustworthy person to buy goods and deliver supplies and aid to refugees. Soon after beginning work for WAMY a position opened as administrator of the WAMY hospital in Chamkani, Afghanistan. Adil applied for that position and was accepted.

6. I should mention that it is very common for Sudanese people to work outside of Sudan. Although there is work to be found in Sudan many of the jobs do not pay well at all. Therefore there are better opportunities working for countries with oil money. Since the 1970's it has been common for emigrants from Sudan to work in



teaching or technical jobs in the Arab countries with oil revenue. This is a way for educated Sudanese people to make a better life for themselves outside of Sudan. Therefore most of the people who emigrate to find work in the region are Sudanese and Palestinian educated people. I also know that Adil always wanted to help charitable causes and help those in need. That was something that he was taught by his father. I know that Mr. Hamad learned a lot of these good qualities from his father.

7. I last saw Adil when he and his family returned to Sudan for a vacation in June, 2002. That was a difficult time for the family because Salwah's father became ill and died from a heart attack. Salwah's father had suffered long term medical problems from Polio, which made it very difficult for him to provide for his nine children and his wife. Then when Adil and his family arrived back from Pakistan he had to take on providing for his own family and for his late father in law's family also, as well as the medical bills.

8. I discussed the situation with Mr. Hamad at length, so I know what a difficult time the family was going through. They had returned from Pakistan for the summer vacation but also because the security situation in Pakistan was getting worse. Adil told me that he was concerned about taking his family back to Pakistan but he also had to think about financial considerations because work was difficult to find in Sudan and he was being paid more money working in Pakistan. Mr. Hamad knew that the situation in Pakistan was uncertain because some Arabs had been arrested and the situation did not seem safe.

9. Mr. Hamad told me that he was in touch with Abu Hadifa, the head of the office, who assured him that the people who were arrested were those without legal

papers. Mr. Hamad told me that Abu Hadifa said that Adil had an excellent reputation and was well known and that the arrests should not concern him at all. I know that Adil was still concerned but he decided to return to his job because he was told there was nothing to worry about. Mr. Hamad told me that he had a multiple entry visa to Pakistan so all he needed to return to Pakistan was an exit visa from Sudan.

10. After discussing these issues, Mr. Hamad decided that Salwah and the children would stay in Sudan so Zaynab and the other children could attend school there, while Adil returned to work in Pakistan for about another year, before returning to Sudan permanently. Adil wanted to earn enough money to expand the small room that the family built on the land they own in Sudan. Mr. Hamad bought the land in Khartoum when he was home from Pakistan on vacation in 1997 from savings from his job in Pakistan. The area of the land is about 500 square metres. Adil had a small room built on the property in about 2001 but there was no kitchen. During his time in Pakistan, Mr. Hamad let the room as an act of charity, but when he returned to Sudan he had no choice but to have his own family live there. So in the summer of 2002 Adil worked on plans to build another room but did not have enough money to do the building work. This was another factor in his deciding to return to Pakistan.

11. Mr. Hamad told me that he called the WAMY office in Peshawar, who told him he was needed back at work, and he received assurances that it was safe to return, so he flew back to Pakistan on July 17, 2002, after spending

an extra week helping Salwah's family deal with their loss.

12. After that the family did not hear from Adil again until Salwah received a letter from him about 8 months after he was arrested. Salwah also received some last wages from WAMY that were delivered to us by Hasab Al-Rasoul, along with the money from the sale of their personal property at the rental house in Peshawar. These were delivered to us by a person working for WAMY by the name of Hasab Al-Rasoul, who is an old neighbor of Mr. Hamad's from Peshawar, who knew him from when Adil worked at WAMY. Mr. Al-Rasoul was a teacher at a different school. The receipt the family received with the wages was signed by Abu Shima (the WAMY accountant) and Abu Hadifa, who was then the head of the WAMY office in Peshawar. The family used this money and some that they had left to finish building the additional room that Adil had planned.

13. Mr. Hamad's family tried to get information from the Sudanese Government about Mr. Hamad's arrest. During the first contact with the Ministry of Foreign Affairs there was no information available. Later the family started receiving letters from Mr. Hamad through the Red Cross. Finally we were told by a person who had been part of a Sudanese delegation to visit Guantánamo, that three Sudanese had been released and that Adil had shared a room with these three detainees. The official mentioned that Mr. Hamad would be released shortly and also delivered a handwritten letter from Mr. Hamad. This meeting took place approximately one year ago.

14. I have made several attempts to obtain the assistance of WAMY without any success. The local people in Sudan have referred me to Pakistan or Saudi Arabia.

15. I know Adil Hassan Hamad well. He has been a good husband to Salwah. He has been a good father to his children. Adil was always a reasonable man and is not a person with radical views. Adil has always been a happy and joking man and not a supporter of the Taliban or any extremist group.

The Affiant

(His signature)

Adil al-Tayyib Ahmad Adam

Personal I. D. Card No.: 406105; Issued on March 17, 2004. Issued in Khartoum Bahri.

The Witnesses

(His signature)

1/ Fadl al-Fadil Fadl

Personal I. D. Card No.: 414389 ;

Bahri 9/11/2004 A.D.

(His signature)

2/ Ali al-Tayyib Ahmad

Personal I. D. Card No. 001227363;

Khartoum 2/23/2006 A.D.

Notarization sh. 'a. sh. (5/2006) A. D. In front of me, I, Dr. Sheikh Eldin Shiddo, Attorney and Commissioner of Oath (Notary Public), am legally authorized in accordance with the Laws of the Islamic Republic of the Sudan; Adil al-Tayyib Ahmad, appeared personally in front of me, this day the nineteenth of September 2006 A. D., after he made an oath by Allah (I swear by God that what I said above is the truth). This took place in the presence of two of his witnesses, and after that I read to him all the contents of this affirmation, and I explained it to all of them, and they signed on it, all of them in my presence.

Issued under my seal and signature in this day the nineteenth of September 2006 A. D., in my office in Khartoum Bahri, the Republic of the Sudan.

Signature of the Commissioner of Oath (Notary Public) Dr. Sheikh Eldin Shiddo

Attorney and Commissioner of Oath Khartoum Bahri

(Page 4, under oath statement of Adil al-Tayyib)

## EXHIBIT 10.1

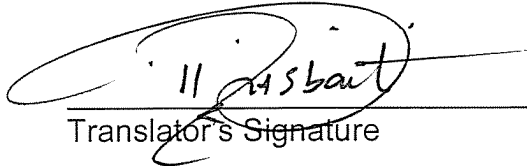
### Declaration of Translation

**DECLARATION OF TRANSLATION**

I, Dingham H. Sbait, acting as translator for the Federal Public Defender for the District of Oregon, hereby certify that this translation into English of the original document/s, written in Arabic (excluding minor typographical errors in the Arabic origin), is a true, accurate, and complete translation with no additions, subtractions, or other alterations.

Date: 9/19/2006

Dingham H. Sbait (ph.D.)  
Translator's Name

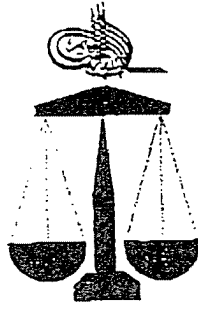
  
Translator's Signature

## EXHIBIT 10.2

Affidavit of Al Tayeb  
(Arabic)

Dr. Sheikh Eldin Shiddo

Associate Prof. Legal Expert  
Advocate & Commissioner for Oaths  
Khartoum North - Albaladia Avenue  
Kamil Amin Building - Flat 12  
Fax : 249 - 13- 335254  
Residence : 339916 - 231364  
Mobile : 012236955



دكتور/ شيخ الدين شيدو

أستاذ جامعي وخبير قانوني

المحامى والموثق

الخرطوم بحري - شارع البلدية

عمارة كامل أمين شقة [ ١٢ ]

فاكس: ٢٤٩ ١٣ ٣٣٥٢٥٤

منزل: ٣٣٩٩١٦ - ٢٣١٣٦٤ موبایل: ٠١٢٢٣٦٩٥٥

### إقرار مشفوع باليمين

انا / عادل الطيب احمد بكامل قواي العقلية واهليتي القانونية وحالتي المعيرة شرعاً وقانوناً وبمحض اختياري ارادتي افيد على القسم بالاتي اقسم بالله العظيم بان هذه الافادة التالية صحيحة وحقيقية والله علي ماقول شهيد .

١- لقد طلبي مني محامو صهري عادل حسن حمد تزويدهم بهذه الافادة لاستعمالها في محكمة الولايات المتحدة للمقاطعة . عادل حمد موجود في سجن الولايات المتحدة في كوبا .

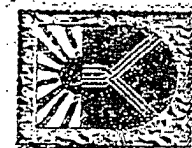
٢- اني اعرف عادل حمد منذ سنة ١٩٨٧م تقريباً ، وذلك عندما التقيت به في لاهور ، باكستان كنت في باكستان ادرس لاصبح طبيباً بيطرياً . وكان السيد حمد في السوق يشتري أغراضاً لعرضه ، وكان يعمل معلماً لجمعية خيرية . وذكر لي السيد حمد انه كان مدرساً في مدرسة ايتام مرتبطه بمخيمات اللاجئين في منطقة بشاور . والفقرية التي كان يعمل فيها اسمها بابي . ولاننا كنا من السودان فقد تكلمنا وبقينا علي اتصال ، مع اننا لم نتقابل مرارا لان عادل حمد كان يسكن في منطقة بشاور وانا كنت اسكن في لاهور وفيما بعد اسلام اباد ، وذلك عندما غيرت موضوع دراستي للتكنولوجيا الطبية (لقد حصلت علي دبلوم في التكنولوجيا الطبية من كلية تكنولوجيا المختبرات الطبية - اسلام اباد في سنة ١٩٩٢م ) . في نهاية الامر اصبحت شلاقتي مع السيد حمد اقرب كثيراً في سنة ١٩٩٢م ، وذلك عندما تزوجت اخته اتصاف حسن حمد .

٣- كان اصل السيد حمد من شمال السودان ولكن انتقل جده ووالده الي شرق السودان . كان والد عادل يعمل لوزارة الصحة ونشأ عادل في شرق بورسودان . وكان السيد حمد يعرف بكنيه ابودجانه .

٤- في سنة ١٩٩١م تقريبا قضيت يوما مع عادل حمد في بابي . زرت عادل في المدرسة واطلعتني عليها . كان ذلك في نهاية اليوم في هذه المدرسة الداخلية ، وهكذا كان باسطاعتي ان اشاهد مكان عمل المدرسين ورأيت بعض الطلاب . كانت المدرسة لطلبة المرحلة الابتدائية ، واعمارهم بين ٧ - ١٢ سنة او ما يقاربها وقد بلغني عندما كنت هناك ان المدرسة كانت مرخصة من قبل وزارة التربية الباكستانية وكل الناس الذين عملوا هناك كانت لديهم تأشيرات سفر رسمية وتصاريح عمل . ماكان عند المدرسة برنامج سياسي ، كانت المدرسة تدرس منهجا عاديا . درس

(صفحة ١ افادة تحت القسم من عادل الطيب )

9/10/06





عادل اللغة العربية . كانت المدرسة تحت رعاية الدعوة الإسلامية . لاحقا ، ومع نني غير متأكد من التاريخ فان عادل حمد قد اشتغل في أكثر من دور اداري في المدرسة ، كمشتاف علي الايتام وكمحاسب .

٥- استمر عادل حمد بالعمل لنفس الجمعية الي ان انتقل اني العمل بجمعية خيرية خري باسم (وام ي ( الندوة العالمية للشباب الاسلامي ) . وكان ذلك قرابة سنتين قبل ان تم اعتقال السيد حمد . في ذلك الوقت كان محمد مصطفى مدير (وام ي ) في باكستان ، وهو مواطن سوداني اخر . ولان عادل حمد كان يجيد لغة البشتو ، اللغة المحلية في الاقليم ، استطاع ان يظهر قدرته علي العمل مع الناس المحليين هناك . ارادت (وام ي ) ارادت وامي ان يكون لها اشخاص اصحاب ثقة يقومون بشراء وتوزيع المؤونات والمساعدات للاجئين . وحالا بعدما بدأ العمل من اجل (وام ي ) حصلت وظيفة ادارية لمستشفى (وام ي ) في شمكاتي ، افغانستان وتقدم عادل بطلب للوظيفة وقبل .

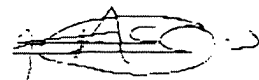
٦- يجب ان اذكر انه امر عادي جدا لابناء السودان ان يشتغلوا خارج السودان . مع ان هناك اعمال متوفرة في السودان . لكن كثير من هذه الاعمال لاتدفع اجرا عاليا ايدا . هناك فرص عمل افضل في دول النفط ذات الاموال . منذ السبعينات اصبح شائعا لمهاجرين من السودان ان يعملوا في وظائف التدريس والوظائف الفنية في الدول العربية التي عندها موارد مالية من النفط . هذه وسيلة للمتقنين السودانيين ليعملوا لانفسهم حياة افضل خارج السودان . لذلك فان معظم الناس الذين يهاجرون لاجاد عمل في المنطقة هم متقنون سودانيون وقسطنطيون . وكذلك اعرف ان عادل كان دائما يرغب في مساعدة الجمعيات الخيرية والناس المحتاجين لمساعدة . هذه قيمة تعلمها من والده . انا اعرف ان السيد حمد تعلم الكثير من هذه الصفات الجيدة من والده .

٧- كانت المرة الاخيرة التي رأيت بها عادل وعائلته عندما رجعوا لإجازة في حزيران سنة ٢٠٠٢م . كان ذلك وقتا صعبا للعائلة لان والد سنوي اصبح مريضا ومات من سكتة قلبية . لقد عاني والدي سلوي من المشاكل الطبية من مرض التصلل مدة طويلة ، مما سبب له مصاعب شديدة في توفير الرزق لأطفاله التسعة ونزوحته . فعندما عاد عادل وعائلته من باكستان اصبح عليه ان يوفر متطلبات معيشة عائلته وعائلة المرحوم والد زوجته ، وكذلك الفواتير الطبية .

٨- لقد بحثت هذه الحالة مع السيد حمد بنطول : لذلك اعرف الوقت الصعب الذي كانت تمر به العائلة . لقد عاد من باكستان للإجازة اقصية ولكن كذلك لان اتاحة الامنية في باكستان أصبحت أسوأ . وابلغني عادل انه كان قلقا حول اخذ عائلته الي باكستان ، ولكن كان عليه ان يفكر ايضا في الاعتبارات المالية لانه كان من الصعب ايجاد عمل في السودان وكذلك كان يتقاضى اجرة اعلي في باكستان . السيد حمد كان يعرف ان الوضع في باكستان غير مؤكد لانه تم اعتقال بعض العرب واصبح الوضع يبدو غير امن .

٩- لقد ابلغني السيد حمد انه كان علي اتصال مع ( ابو حذيفة ) ، مدير المكتب ، الذي اكد له ان الاشخاص الذين تم اعتقالهم كانوا الذين ماكانت عندهم اوراق قانونية .

(صفحة ٢ :فددة تحت القسم من عادل الطيب )

د. 

وقال لي السيد حمد ان (ابو حذيفه) قال ان عادل عُدده سمعة ممتازة وانه معروف جدا وان الاعتقال يجب ألا يقلقه ابدا . وانا ما زلت اعلم ان عادل كان لا يزال قلقا ولكنه قرر ان يرجع لوظيفته لانه تم ابلاغه انه ليس هناك أي شئ يقلق منه . وقد اعلنتني السيد حمد ان في حيازته تأشيرة سفر / فيزا متعددة الدخول الي باكستان وكل ما كان يحتاجه للرجوع الي باكستان هو تأشيرة خروج من السودان .

١٠- بعد مناقشة هذه المواضيع ، قرر السيد حمد ان تبقي سلوي والاطفال في السودان لكي تقدر زينب والاطفال الآخرون حضور المدرسة هناك . بينما يرجع عادل للعمل في باكستان لسنة اخري تقريبا قبل عودته الي السودان للبقاء الدائم . اراد عادل ان يحصل فلوسا كافية لكي يوسع الغرفة الصغيرة التي بنتها العائلة علي الارض التي تملكها في السودان . وقد اشترى السيد عادل الارض في الخرطوم عندما كان في البلد من باكستان في اجازة في سنة ١٩٩٧م وذلك من توفيرات من عمله في باكستان

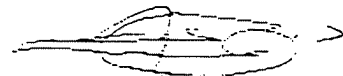
ومساحة الارض هي ٥٠٠ متر مربع تقريبا . وقد بني عادل غرفة صغيرة علي الملك تقريبا في سنة ٢٠٠٠ ولكن ما كان هناك مطبخ . وخلال الوقت الذي قضاة في باكستان اجر السيد حمد الغرفة كعمل خيري ، ولكن عندما رجع الي السودان ما كان عنده أي خيار سوي ان تسكن عائلته هناك . وعليه وفي صيف ٢٠٠٢ اشغل عادل علي خطط لبناء غرفة اخري ولكن ما كانت عنده الفلوس الكافية للقيام ببناء المبنى . وكان هذا سبب اخر في قراره عني الرجوع الي باكستان .

١١- وابلغني السيد حمد انه اتصل مع مكتب (وام ي) في بشاور والذي ابلغه بدورهم انهم بحاجة له للرجوع الي عمله ، وقد حصل علي تأكيدات انه كان امينا ان يرجع ، وعليه طار عادل الي باكستان في ١٧ تموز ٢٠٠٢ ، بعد ان قضى اسبوعا اضافيا ساعد فيه عائلة سلوي في معالجة موضوع خسارتهم .

١٢- بعد ذلك ماسمعت العائلة مرة اخري من عادل اني ان استلمت سلوي رساله منه بعد ٨ شهور تقريبا بعد ان تم اعتقاله . واستلمت سلوي كذلك بعض اجورده الاخيرة من (وام ي) والتي تم تسليمها لنا من حسب الرسول ، بالاضافة الي الفلوس الحاصلة من بيع ممتلكاتهم الشخصية في البيت مستأجر في بشاور . وسلم لنا هذه الاشياء رجل عمل ل (وام ي) واسمه حسب الرسول ، وهو جار قديم للسيد حمد من بشاور ، والذي عرفه منذ كان عادل يعظم في (وام ي) . وكان السيد الرسول يعمل مدرسا في مدرسة مختلفة . والوصول الذي استلمته العائلة مع الاجور وقع عليها ابوشيمه . (محاسب وام ي) وابو حذيفه ، والذي كان في حينه مدير مكتب (وام ي) في بشاور . واستلمت العائلة هذه الفلوس وبعض الفلوس المتبقية عندها لاكمال بناء الغرفة الاضافية التي قد خطط عادل ببناءها .

١٣- حاولت عائلة السيد حمد الحصول علي معلومات من الحكومة السودانية حول اعتقال السيد حمد . خلال الاتصال الاول مع وزارة الخارجية ما كانت هناك معلومات متوفرة . لاحقا بدأت العائلة تستلم رسائل من السيد حمد عن طريق الصليب الاحمر . واخيرا تم اعلامنا من قبل شخص كان عضو البعثة السودانية التي زارت جوانتانامو ، ان ثلاثة سودانيين قد تم الافراج عنهم وان عادل قد شارك الغرفة مع هؤلاء المحتجزين الثلاثة وذكر عضو البعثة ان السيد حمد من الممكن ان يتم الافراج عنه قريبا وايضا سلم العائلة رسالة بخط اليه من السيد حمد وتمت هذه المقابلة قبل سنة تقريبا .

(صفحة ٣ افادة تحت القسم م عادل الطيب)



١٤- لقد قمت بمحاولات عديدة للحصول على مساعدة من ( وام ي ) بدون أي نجاح والناس المحليين في السودان احاولوني اما لباكستان او للعربية السعودية .

١٥- انا اعرف عادل حسن جيدا . كان عادل زوجا جيدا لسوي . وكان والدا جيدا لاطفاله . كان عادل دائما رجلا عاقلا ومعتدلا وماكان رجلا عنده اراء متطرفة . وكان عادل دائما رجلا سيذا وصاحب نكتة وماكان مؤيدا للطالبان او لاية مجموعة متطرفة

المقر  
عادل الطيب احمد

بطاقه شخصيه /٤٠٦١٠٥/ الخرطوم ٢٠٠٤/٣/١٧م

الشهود  
٢/ عني الطيب احمد

١/ فضل الفاضل فضل

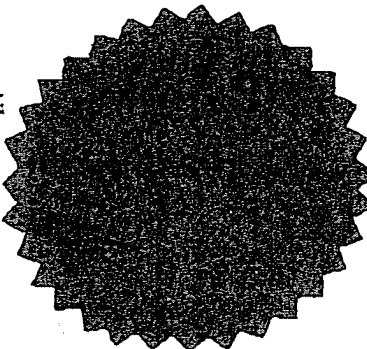
بطاقه شخصيه /٤١٤٣٨٩/ بحري ٢٠٠٤/٩/١١م بطاقه شخصيه /٠٠١٢٢٧٣٦٣/ الخرطوم ٢٠٠٦/٢/٢٣م

توثيق رقم / ش . ع . ش / ٥ / ٢٠٠٦م

لدي انا د. شيخ الدين شدى المحامي وموثق القسم . المرخص رسمياً حسب قوانين جمهورية السودان الإسلامية ، عادل الطيب احمد حضر امامي شخصيا هذا اليوم التاسع عشر من سبتمبر ٢٠٠٦م بعد ان اقسم بالله ( اني اقسم بالله واشهد ان ماقلتة اعلاه هو الصدق ) . وكان ذلك في حضور شاهديه اعلاه بعد ان تليت عليهم جميعا محتويات هذا الاقرار وافهمتهم به ووقعوا عليه جميعهم امامي .  
صدر تحت ختمي وتوقيعي في هذا اليوم التاسع عشر من سبتمبر ٢٠٠٦م بمكتبي بالخرطوم بحري جمهورية السودان .

توقيع موثق القسم :-

د. شيخ الدين شدى  
المحامي وموثق القسم  
الخرطوم بحري



(صفحة ٤ افادة تحت القسم من عادل الطيب )

## EXHIBIT 11

Affidavit of Salwa Othman  
(Adel Hamad's wife, English translation)

### STATEMENT ACCOMPANIED BY OATH

I, **Salwa Othman Ahmad Othman**, with my complete sanity, and based on my state that is considered legitimate and legal, and based on my legal capacity, and entirely of my own will and accord, affirm under oath that:

1. My name is Salwah Othman Ahmad Othman. I am the wife of Adil Hassan Hamad. My husband is being detained by the United States in the military prison in Cuba. I have been asked to provide this statement by my husband's lawyers, in order to provide information about my life with Adil Hassan Hamad, and our present situation. My husband is a good man who has not done anything to harm America. I ask the United States to look at the evidence in his case and release him as soon as possible.

2. I grew up in a suburb of Khartoum, Sudan, called al-Jareef East, which is about 45 minutes from the center of the city. I attended al-Khayr Haj Moussa school in Al Jarif, which I left at the age of 19, one year before graduating. In 1987 Mr. Hamad approached my family and asked for my hand in marriage. At that time Adil had a job in Pakistan, working as a teacher for "Ghaar Harra'," a charitable group running an orphanage school, which was funded by the State of Qatar. Mr. Hamad had studied for a diploma in Refrigeration and Air Conditioning in Egypt but had difficulty finding a well paid job in Sudan. For many people in Sudan it is difficult to find work inside the country. Most Sudanese look for work in other countries like Saudi Arabia because there are more jobs and better wages.

3. Mr. Hamad and I were married on 6/8/1987. Then in July 1987 we

traveled to Pakistan so Adil could return to his job teaching at the orphanage school, which was in a village called Babi. Adil's job was as a first grade teacher, teaching Arabic language, traditional songs and the Koran. Adil worked at the orphanage school in Babi from 1987 until 1993 as a teacher and then became a bookkeeper for the same school, after the charity noticed that Adil was good with accounting and had some training in that area. Adil remained at the school doing bookkeeping until about 1997, when he was laid off because of lack of funding. At some point the funding for the orphanage school changed. When Adil started working there it was sponsored by the State of Qatar but that later changed to the Da'Wa Committee, a Kuwaiti sponsored charity.

4. Adil always made sure that we had proper passports and the correct legal documentation for the family to live in Pakistan and work papers for him to be there and in Afghanistan when he got the job there.

5. One of Adil's jobs as bookkeeper was to go to the district office in Peshawar and receive wages and then deliver those checks to the employees of the school. There were approximately 12 teachers, 1 or 2 cooks, 2 or 3 guards, and 2 or 3 drivers and a few other general employees working at the school. Several of the staff were local people. The school was only involved in teaching orphans and other students from the local area.

6. As for our personal life, it was quiet, settled, and normal. Then came our first joy, and that was the birth of our first daughter Zaynab, who was born 4/15/88 in Peshawar, Pakistan. Adil's joy of her birth was great. When Zaynab was three months old, we went to the Sudan for a summer vacation, and that was on about 7/11/1988,

and then we returned to Pakistan in September 1988.

7. Adil was a likable person in nature. He was pleasant and brought happiness to others, particularly the children of the orphanage, and of course his own children at home. He spent long hours playing with his children and having good time with them. He always provided his daughters with all their needs. When Tasneem our second child was born on 1/30/1990, we became even happier due to her birth, and now we had two beautiful daughters, Zaynab and Tasneem. When the time arrived, and Zaynab started attending her kindergarten, we became greatly involved with her, particularly with regard to her studies. Then we had our third child Maryam on 8/29/1994, and the family was very happy, our happiness was tremendous, particularly that Zaynab and Tasneem had another sister to play with.

8. From 1997 to 1999 Adil was asked by the director of the Da'wa to work at the regional office in Peshawar, so the family moved from Babi to Peshawar. Adil's job at the regional office involved bookkeeping and greeting visitors to the office. Adil worked there until he was one of 5 employees laid off in 1999 because of lack of funding. At about this time we also had another child, Muhammed, who died after only ten months. Before he found another full time job Adil did odd jobs like buying and selling furniture and we lived on income from that and his severance pay from losing his job. Adil would buy goods cheaply at the market and sell for a small profit. Adil also bought wholesale lots of household furnishings from people leaving their homes and sold them individually. Income from this was not regular. He thought about going back to Sudan, but the school year was in the middle, therefore, we decided to postpone our trip until the end of the school year, for the sake of the girls, Zaynab, Tasneem, and

Maryam.

9. After Adil was laid off he looked for another full time position and finally was accepted by WAMY (World Assembly of Muslim Youth) for a position as administrator of a hospital they ran in Chamkani, Afghanistan. At that time Muhammad al-Mustafa was the director in the District Office, and Murad was the director from Jeddah. When Adil was applying for the WAMY job he had to talk with director Murad in Jedda, who made the final decision about hiring him. Adil was appointed in August 2000. After getting the job with WAMY Adil went right to work about ten days later in Chamkani, Afghanistan. I stayed at a rental house in Peshawar, so the children could go to school. He used to work 25 days a month and take a break for five days a month. He used to go to Chamakani in a car that belonged to WAMY, and the driver was an Afghan. The trip took two full days. He continued to go back and forth to his job until our daughter Rahmah was born in al-Jawhar Hospital, in the city of Twon on 4/22/2001.

10. We lived in several houses in Peshawar, the most recent of which was the rental house in Peshawar, which was located on Bilal Lane. I lived with the children in the upstairs of the house. The downstairs portion was rented by a Ameer Mammur, a refugee from Algeria. My husband took care of paying the rent at the house, which he paid on time. We did not have any problems while we were living at the house. A picture of the house, which has been provided to me by Adil's lawyers, is attached to this statement as Attachment 1.

11. This routine continued until the attack on the United States on September 11, 2001. At that time all of the foreigners working for Non Governmental Organizations in Afghanistan were told to leave because it was not safe there any



more. Many Afghans also left the area because it was no longer safe. My husband was one of the last foreigners to leave Afghanistan at the local road border. Adil continued to work for WAMY but mostly at the District Office in Peshawar, Pakistan. This work involved Adil buying and delivering food, clothing, tents and other supplies to the many refugees crossing the border from Afghanistan. Adil took regular trips to Lahore, Pakistan buying supplies. During one of those trips Adil had a car accident but fortunately he was not injured seriously, although he had to keep his right hand wrapped for 2 weeks. That work refugee relief continued until 6/11/2002, when the whole family went back to Sudan for our summer vacation. At that time Adil and I decided that the girls and I should stay in Sudan because the education available in Sudan was much better than in Pakistan. That was particularly important for Zaynab who was about to start high school. Adil and I discussed the future of the family at that time because we were financially better off in Pakistan but the education was better in Sudan. Eventually Adil decided to return to Pakistan for a fairly short time, settle up our affairs and then come back to Sudan for good.

12. Unfortunately during our vacation, my father, Othman Ahmad Othman Nasr, died on 7/6/2002. He had been sick for many years with polio and finally died from a heart attack. A copy of my father's death certificate is attached as Attachment 2.

13. Before returning to Pakistan Adil contacted the WAMY office in Peshawar. The director of the office, Abu Hadifa, told Adil that he was needed back at work, so he returned to Pakistan on about 7/14/2002. After that I did not hear anything more from my husband until about 8 months later, when I received a letter from him, through the Red Cross, saying that he had been detained by Americans and was in custody. On

7/30/2003 a person working for WAMY came to visit with Adil's last wages from WAMY and the proceeds of the sale of our possessions from the Peshawar rental house. That person delivered a receipt that I believe is signed by the head of the WAMY office in Peshawar, Abu Hadifa. A copy of which is attached to this statement as Attachment 3.

14. During the time Adil has been imprisoned life has been difficult for me and the children. When I left Pakistan in 2002 I was two months pregnant with our daughter, Fida, who was born 1/29/2003. Fida died on 8/7/2003 after having a sickness in her upper lip and high blood pressure. The children all miss their father and I miss my husband. Although we are surviving with the help of relatives, but it is difficult for us without Adil being here to support his family and because of lack of money.

15. A picture of Adil Hamad, together with his daughters Zaynab and Tasneem is attached to this statement as Attachment 4. This photograph was taken in July 1998, in Peshawar, Pakistan.

16. To my knowledge my husband has never done anything against America. He has not expressed any ideas against America. Adil was not a member of the Taliban or Al Qaeda. Adil did not do anything other than try to help Afghan orphans, refugees and people in need of medical care. Adil is not a violent man, he is a good family man, who took good care of me and his daughters. Above all he is a good man, with a sense of humor who enjoyed laughing and telling jokes. I pray that Adil be allowed to return to me and the children as soon as possible.

The Affiant

(Her signature)

Salwa Othman Ahmad Othman

Personal I. D. Card No.: 0967578, Issued on September 7, 2006 A. D.,  
in Khartoum; she lives in Khartoum Bahri.

The Witnesses

(His signature)

1/ Adil al-Tayyib Ahmad Adam

Personal I. D. Card No.: 06105; Issued on March 17, 2004.

Issued in Khartoum Bahri.

(His signature)

2/ Mansour Hammad Ibrahim

Personal I. D. Card No.: 20072; Issued on September 1, 2004;

Tajdeed Umdourman.

Notarization sh. 'a. sh. (4/2006) A. D. In front of me, I, Dr. Sheikh Eldin Shiddo, Attorney and Commissioner of Oath (Notary Public), am legally authorized in accordance with the Laws of the Islamic Republic of the Sudan; Salwa Othman Ahmad Othman, appeared personally in front of me, this day the eighteenth of September 2006 A. D., after she made an oath by Allah (I swear by God that what I said above is the truth). This took place in the presence of two of her witnesses, and after that I read to her all the contents of this affirmation, and I explained it to all of them, and they signed on it, all of them in my presence.

Issued under my seal and signature in this day the eighteenth of September 2006 A. D., in my office in Khartoum Bahri, the Republic of the Sudan.

Signature of the Commissioner of Oath (Notary Public) Dr. Sheikh Elldin Shiddo  
Attorney and Commissioner of Oath Khartoum Bahri

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## EXHIBIT 11.1

Photograph of Hamad Apartment  
(Attachment 1 to affidavit)

# **ATTACHMENT 1**